

UNDER SEAL

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF VIRGINIA**

U.S.A. vs. Kevin James Mcavenia

Docket No. 1:22CR00086-001

Petition for Action on Conditions of Pretrial Release

COMES NOW, Kimberly M. Hess, PROBATION OFFICER, presenting an official report upon the conduct of defendant Kevin James Mcavenia, who was placed under pretrial release supervision by the Honorable Ivan D. Davis, United States Magistrate Judge sitting in the court at 401 Courthouse Square, Alexandria, Virginia 22314, on April 21, 2022, under the following conditions listed:

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

The defendant is viewing images of minor girls on social media and has failed to follow the treatment instructions of his mental health provider. His treatment team is concerned he is decompensating and is at risk of re-offending or harming himself.

PRAYING THAT THE COURT WILL ORDER a warrant to be issued directing that the offender appear before the Court to show cause why bond should not be revoked.

It is hereby ORDERED that the petition, with its attachment and arrest warrant be sealed. It is further ORDERED the petition, its attachment and arrest warrant shall remain sealed until the warrant is executed, at which time the petition, its attachment and warrant, should be unsealed and made part of the public record.

ORDER OF COURT

Considered and ordered this 23rd day of September 2022 and ordered filed and made a part of the records in the above case.

William E. Fitzpatrick
William E. Fitzpatrick
United States Magistrate Judge

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: 09/23/2022

Karen M.
Riffle

Digitally signed by Karen
M. Riffle
Date: 2022.09.23 14:07:01
-04'00'

for Kimberly M. Hess
Supervising U.S. Probation Officer
703-299-2261

Place: Alexandria

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RE: MCAVENIA, Kevin James

Special Conditions:

- 1) Pretrial Services supervision;
- 2) Release to and reside in the third-party custody of Karen Mcavenia;
- 3) Submit to mental health testing and treatment as directed by Pretrial Services;
- 4) Not possess a firearm, destructive device or other weapon;
- 5) Report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops;
- 6) Refrain from having any contact with minors under the age of 18, unless another adult is present who has been approved, in advance by Pretrial Services;
- 7) The defendant shall not access a computer and/or the internet unless a computer monitoring program has been installed by the probation office. The defendant shall consent to the installation of computer monitoring software on any computer to which the defendant has access. Installation shall be performed by the probation officer. The software may restrict and/or record any and all activity on the computer. Including the capture of keystrokes, application information, internet use history, email correspondence, and chat conversations. The defendant shall not remove, tamper with, reverse engineer, or in any way circumvent the software. The cost of the monitoring will be paid by the defendant;
- 8) Refrain from possessing or utilizing any video gaming system and consoles, phones with internet capabilities, or other such devices which would enable contact and/or the sharing of data with other individuals known or unknown to the defendant;
- 9) Submit to and pay for, sex offender evaluation and/or treatment conducted by a certified sex offender treatment provider as directed by pretrial services; and
- 10) Submit to and pay for home confinement, with active GPS with timeouts as directed by Pretrial Services.

KMR/mbp